



~~July 20, 2004 CPC~~
~~August 17, 2004 CPC~~
September 22, 2004 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

04SN0267

Randell L. Hodges and Susan L. Hodges

Matoaca Magisterial District
14621 North Ivey Mill Road

REQUEST: Conditional Use to permit stock farm use (keeping of horses).

PROPOSED LAND USE:

The applicants propose to keep a maximum of three (3) horses on an Agricultural (A) parcel containing less than three (3) acres in area.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL SUBJECT TO THE CONDITIONS ON PAGE 2.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. The proposed land use conforms to the Southern and Western Area Plan which suggests use of the property should be limited primarily to agricultural and forestall uses with isolated single family residences permitted on lots larger than five (5) acres.
- B. The proposed conditions ensure land use compatibility with existing residential development on acreage lots.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE

RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

CONDITIONS

- | | | |
|-------------|----|--|
| (STAFF/CPC) | 1. | This Conditional Use shall be granted to and for Randell L. Hodges or Susan L. Hodges exclusively, and shall not be transferable nor run with the land. (P) |
| (STAFF/CPC) | 2. | All facilities and areas associated with the keeping of horses (stables, pastures, etc.) shall be cleaned and made free of waste on a regular basis. In addition, the property owner shall employ a means of eliminating any odor problems and propagation of insects. (P) |
| (STAFF/CPC) | 3. | This Conditional Use shall be limited to the keeping of three (3) horses. (P) |

GENERAL INFORMATION

Location:

East line of North Ivey Mill Road, north of Lake Chesdin Parkway, and more commonly known as 14621 North Ivey Mill Road. Tax ID 735-631-2957 (Sheet 39).

Existing Zoning:

A

Size:

2.1 acres

Existing Land Use:

Single family residential

Adjacent Zoning and Land Use:

North, South and East - A; Single family residential
West - R-88; Public/semi-public (Lake Chesdin Park)

UTILITIES

Public Water and Wastewater Systems:

The public water and wastewater systems are not available. The existing dwelling is served by a private well and septic system.

Private Well and Septic Tank System:

The Health Code requires both the area where the horses are maintained and the area of any animal waste storage be a minimum of 100 feet from all wells.

ENVIRONMENTAL

Drainage and Erosion:

The property drains in two directions to tributaries and ultimately into Lake Chesdin. If clearing is necessary for the creation of the pastures and involves more than 2,500 square feet, a land disturbance permit will be required from the Environmental Engineering Department.

PUBLIC FACILITIES

Fire Service:

This request will not impact fire and emergency medical services.

Transportation:

The proposed development (stock farm) on the property will have a minimal impact on the existing transportation network.

The Thoroughfare Plan identifies North Ivey Mill Road as a collector with a recommended right of way width of seventy (70) feet. The applicants are unwilling to dedicate thirty-five (35) feet of right of way measured from the centerline of North Ivey Mill Road in accordance with that Plan.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Southern and Western Area Plan which designates the property as part of the Rural Conservation Area, suggesting that activities should be limited primarily to agricultural and forestall uses with isolated single family residences permitted on lots larger than five (5) acres.

Area Development Trends:

Area properties to the north, south and east are zoned Agricultural (A) and are occupied by single family residences on acreage properties. Property to the west is zoned Residential (R-88) and is developed as the Chesdin Lake Park. It is anticipated that this area will remain agricultural and forested, with planned development being deferred until adequate provisions are made for public infrastructure improvements, as suggested by the Plan.

Use Limitations:

The Ordinance permits a residential stock farm use in an Agricultural (A) District provided the property on which the animals are maintained contains a minimum of three (3) acres in area. The applicants are requesting a Conditional Use to permit the keeping of a maximum of three (3) horses on the subject property which contains approximately two (2) acres in area (Condition 3). Condition 1 would restrict this Conditional Use to the applicants only. Any facilities associated with the keeping of horses should be maintained so as to minimize the potential for nuisance from insects and odors. (Condition 2)

Accessory structures such as stables and storage sheds must conform to the setback requirements of the Ordinance for accessory structures in the Agricultural (A) District.

CONCLUSIONS

The proposed land use conforms to the Southern and Western Area Plan which suggests use of the property should be limited primarily to agricultural and forestall uses with isolated single family residences permitted on lots larger than five (5) acres. The recommended conditions are similar to those imposed on requests for stock farms and should ensure land use compatibility with existing and anticipated area development.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Planning Commission Meeting (7/20/04):

On their own motion, the Commission deferred this case to August 17, 2004.

Staff (7/21/04):

The applicant was advised in writing that any significant new or revised information should be submitted no later than July 26, 2004, for consideration at the Commission's August 17, 2004, public hearing.

Staff (7/29/04):

To date, no new information has been submitted.

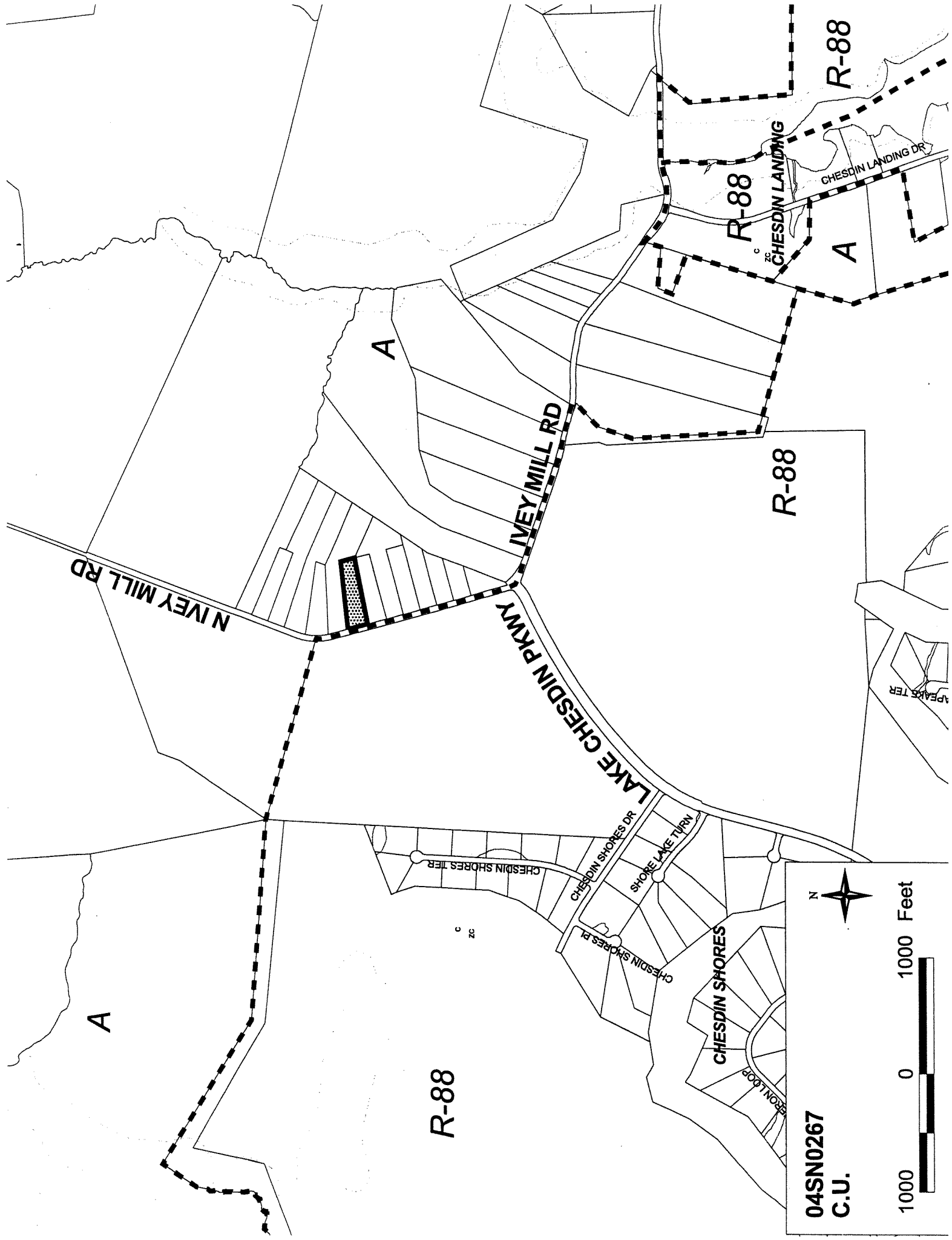
Planning Commission Meeting (8/17/04):

The applicants accepted the recommendation. There was opposition present who expressed concerns relative to the amount of acreage provided for the number of horses; the elimination of wooded area for pasture land; odor and insects.

On motion of Mr. Bass, seconded by Mr. Gulley, the Commission recommended approval subject to the conditions on page 2.

AYES: Unanimous.

The Board of Supervisors, on Wednesday, September 22, 2004, beginning at 7:00 p.m., will take under consideration this request.



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C.U.

